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***7-27-2005***

Nebraska Public Service Commission  
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RE: LR143, 9-1-1 Interim Study

Dear Commissioners,

Recently the Committee on Transportation and Telecommunications decided to put on hold any further development of Phase I and Phase II implementation pending an interim study regarding the consolidation of PSAPs throughout the state. I do agree that the legislative committee is correct to study the entire situation before deciding to raise the surcharge.

The urgency in the implementation of Phase I and Phase II, *ASAP*, is a matter of Public Safety. The longer that this project is delayed the more chance that someone will die or suffer needlessly because 9-1-1 simply cannot locate a cell phone in an emergency. However there are some serious communications and coordination issues that go well beyond the scope of Phase I and Phase II implementation.

**Various State, County and Local agencies that are developing communication systems need coordination.**

The State of Nebraska is going in several directions trying to correct communications issues that involve several agencies, disciplines and political interests. It seems that the right hand doesn't realize what the left hand is doing. For example in the past few years, the State of Nebraska, Nebraska State Patrol's, NEMA and the Division of Communications have attempted to develop an interoperable statewide radio communications system or as another option, to regionalize interoperable radio communication systems using existing PSAPs, existing equipment and Homeland Security Grant funding. At the same time the Public Service Commission (PSC) is trying to develop or at least regionalize a wire/less phone communications system to implement Phase I and Phase II. All the while, county and local jurisdictions have a real and urgent need to improve their existing radio and communications systems.

CAD systems such as “SLEUTH” have been developed and are being used in much of the state and for Law Enforcement, Fire and Rescue calls. These systems have been developed and supported by the Nebraska Criminal Justice Information System (CJIS), the Crime Commission, Nebraska Intergovernmental Data Communications Advisory Council (NIDCAC) and other state agencies. The Phase I and Phase II projects seem to be “reinventing the wheel” with all new CAD and mapping programs instead of interfacing with existing programs.

CAD programs, mapping programs, regionalization of PSAPs and developing of interoperable communications systems should be done by a common agency to eliminate the duplication of effort. The Nebraska Division of Communications would be the most likely agency to coordinate all of the interested parties. *The PSC is, and should stay a regulatory enforcement agency, not be a player in the communications industry.*

### **Surcharge funds are not being used effectively.**

I have several concerns with the distribution of the \$.50/mo wireless surcharge currently collected, the amount of money that has been collected versus the lack of progress to get even the Phase I implemented statewide. The current surcharge has been collected since July/2001 yet only 47 of the 93 counties (51%) have actually implemented Phase I. At the time that the legislature requested the interim study, the surcharge fund stood at approximately \$10,000,000, the project is going nowhere and yet more money is being requested. The public is paying for a service that it is not receiving and no plan is in place to ever get it fully accomplished.

### **Surcharge funds are being disproportionately distributed.**

The wireless telephone *service providers* (cell phone companies) are receiving a disproportionate amount of the surcharge for cost recovery while the PSAPs receive little or no portion of that amount. The projected \$21,000,000 in implementation cost is to provide cost recovery for the wireless *service providers* but again, only a fraction of that amount for the PSAPs. The projected recurring cost per month is also money slated to be given to the wireless *service providers*, not to the PSAPs, who also have recurring costs.

The wireless phone industry is a deregulated industry which enables the wireless *service providers* to recover costs directly from their customer base, as part of the cost of doing business. This means that even if the wireless *service providers* do not collect from the surcharge fund, they are still obligated to comply with the requirements created by Phase I and Phase II implementation as mandated by the FCC.

### **Develop PSAPs with surcharge funds; Wireless Service Providers can recover cost from their customer base.**

Phase I and Phase II infrastructure *must* be developed at a PSAP level first or the project will not get done. PSAPs have extremely limited financial ability and strict legal limits on the amount their budgets can be raised from year to year. The surcharge should be used entirely to get the PSAPs equipped. FCC mandates require that the wireless service providers still implement Phase I and Phase II the system, even if they must recover cost through their own customer base. Once the infrastructure is in place

and the project is operational, funding can be re-allocated to include the wireless service providers.

**Wireless Service Providers should repay the surcharge funds if they are using location technology to develop marketable features.**

Several wireless *service providers* are marketing mapping and location features, *for a profit*, that incorporate the technology and equipment used and developed for Phase I and Phase II implementation. The wireless *service providers* that use the surcharge funding to research, develop and implement location features should be liable to repay those funds if they are developing marketable features and making profit at the expense of the taxpayers.

**Wireless phone's increasing popularity financially impacts existing systems.**

PSAPs have another progressively increasing issue in that they are losing funding as the public switches from *wireline* phones to *wireless* and *VoIP* (Voice over Internet Protocol) systems. The *wireline* 9-1-1 surcharge is a significant source of income for PSAPs and is, in many cases, the only means for poorly funded areas to keep up with technology changes. The decrease in *wireline* phone surcharges and increase in *wireless* phone surcharges is taking money away from the PSAPs to a fund that is currently unavailable to the PSAPs. This trend creates a long-term funding problem, one that will degrade the existing PSAP's ability to maintain the same level of service.

**Wireless phones increase the burden on PSAPs.**

Without even considering the Phase I and Phase II requirements, *wireless* phones have caused a tremendous increase in equipment requirements, staffing and other directly related costs. A few years ago you might receive a single 9-1-1 call for an event, easily handled by a single dispatcher. Now, with the popularity of cell phones and the innate desire that people have to dial 9-1-1, that same event might generate 10 to 20 9-1-1 calls. Each call must be processed to make sure that it actually is the same event, increasing the dispatcher's workload and system requirements considerably.

**Wireless phone's popularity has set back the level of service that PSAPs can provide.**

The shift of *wireline* phones to *wireless* has set 9-1-1 communications back about 15 years. *Fifteen* years ago most areas had only Automatic Number Identification (ANI) capability or basic 9-1-1. This meant that when a 9-1-1 call was made using a *wireline* phone the dispatcher was able to identify only the name and number where the 9-1-1 call originated.

As we progressed most agencies added the Automatic Location Identification (ALI) capability otherwise known as ANI/ALI or Enhanced 9-1-1 (E 9-1-1). The dispatcher now had the ability to identify the name, the call back phone number and also the location of the event. Since the location was known the equipment could then determine whose jurisdiction the emergency was in. All of this information displayed immediately when a *wireline* 9-1-1 call was received by an E 9-1-1 system.

Now, until Phase I and Phase II has been implemented, and as the *wireless* phones outnumber *wireline* phones, those same PSAPs are unable to obtain even the most basic 9-1-1 information that was available 15 years ago.

**Phase II can still be implemented without complex systems.**

The Phase I and Phase II information should be sent to *any and all* PSAPs that currently receive E-9-1-1 information. The Phase II location information that is being forwarded to the PSAPs is in a latitude/longitude (LAT/LONG) format. Special mapping computer programs will eventually be necessary but society has been plotting LAT/LONG coordinates on flat maps for centuries. In most 9-1-1 emergency calls the caller knows their location and can provide that info verbally to the dispatchers. In the cases in which the caller is unable to forward that info, the dispatcher would, at least, have the LAT/LONG to process manually. Though manually plotting a coordinate is much slower, it would still provide a means to determine a location, an option that might make the difference between life and death.

Responders are more and more equipped with GPS ability as a basic requirement. If the LAT/LONG coordinate is available, responders would have the ability to determine the location from the field.

**Phase II development should not be delayed because of the lack of E-9-1-1 capability.**

Basic 9-1-1 counties can be equipped to receive Phase II information even if they do not have a fully E-9-1-1 system in place, with minimal equipment cost. One of the big delays, big expenses that prohibits counties from making the step from basic 9-1-1 to E-9-1-1 is developing and implementing rural addressing systems. Counties cannot afford to do addressing, install and maintain the signage, create and maintain MSAGs and similarly related costs necessary for an E 9-1-1 system so they settle for Basic 9-1-1 and process calls using ANI information only.

E 9-1-1 operates on a LAT/LONG format and can be implemented *if there is a basic 9-1-1 system in place to provide the phone trunking needs*. There would be additional equipment requirements, (basically the same equipment that displays E 9-1-1 data) to these systems but Phase II can function without rural addressing. The PSC sponsored workshops to determine equipment needs, mapping programs, survey existing equipment and select vendors. As presented, many of the existing systems would need to be upgraded, expanded or replaced to make the proposed data processing work. That same equipment, if installed new in a PSAP that does not have E 9-1-1 capability, could make a significant improvement to rural areas without any disproportional expense to the surcharge fund.

One argument that keeps coming up is that you must have rural addressing in place before you can implement E 9-1-1. That is not the case and has been proven in Custer County, although we do now have rural addressing. Custer County was also the first county in Nebraska to fully implement Phase I.

A concept that is difficult for the urban residents to understand is that rural Nebraskans can determine a location with much less information, such as the just name of the resident. Everybody knows everybody, their kids names, how to get to their place, medical history and every other detail about their neighbors. It is common for

dispatchers to send responders to a name only such as the “John Smith residence”. Phase II providing a point on a map or just a LAT/LONG coordinate would be a tremendous improvement to in location ability in the event the caller was unable to provide location information or was from out of the area.

If the *wireless* service providers would send the Phase II data and the PSAPs would provide the local equipment to display that data, a large portion of Nebraska would vastly improve 9-1-1 services. If the surcharge funds provided the financial help to install the display the Phase II data, many of those same PSAPs would probably make the step from Basic 9-1-1 to E 9-1-1.

### **Implementation of Phase II is vital in rural areas.**

In urban settings people seldom do not know where they are (of course there are always exceptions). Street signs, landmarks businesses and other people around usually provide enough information that the caller can relate to a dispatcher to determine location. In rural areas, there are vast amounts of land or unmarked stretches of road where emergencies can happen and the caller has no way to determine their location. LAT/LONG GPS coordinates provided by Phase II work very effectively in these areas.

The tendency with projects such as Phase I or Phase II is to develop them first in the most populated areas. The largest volume of 9-1-1 calls will obviously be from the most populated areas. Phase II development should be determined by what areas will do the greatest good. The greatest good will be accomplished in areas where people get lost, where no one is likely to come along soon, where do not know the areas landmarks, where they don't have street signs, where no one is likely to come along soon.

### **Regionalization and consolidation of PSAPs is a complex issue.**

PSAP consolidation is reasonable, but in many situations but it could also jeopardize public safety. Most counties have already dealt with regionalization or consolidation as much as is practical. For example, a county that has a very low population density may not be able financially support having a 24/7 PSAP.

PSAPs often count on their neighboring PSAP to provide back-up in the event of disaster or equipment failure. For example if something happens in Custer County or the RE26 dispatch centers, 9-1-1 calls can be routed to the other PSAP and dispatched accordingly. Recent 2005 Homeland Security Grants provided funding for Custer County's PSAP and RE26 to interface equipment and create an interoperable system so that either PSAP can back-up the other.

In the North Central Interoperable Communications Group (NCIC Group) there are 17 counties that have signed Memorandums of Understanding (MOU) to develop, support and maintain an Interoperable Plan. This makes up 17 counties, 19,073 square miles or 24.66% of the entire state of Nebraska. This effort is coordinated and receives funding from Homeland Security Grant funding, NEMA, Nebraska Division of Communications and local governments.

Regionalization of PSAPs must be coordinated with all of the participants and interested agencies to make it work. To date the PSC has not been involved with these plans or considered how these plans could be expanded to include any regionalization. This is another reason that a single state agency should be coordinating all communication planning.

**Regionalization of Phase II *only*, can cause problems.**

The PSC has proposed routing wireless 9-1-1 calls to only PSAPs that have the Phase II capability. The PSAP may not be the jurisdictional PSAP for the area where the emergency is located. The 9-1-1 call would then have to be either transferred to the correct PSAP, the information relayed, or the call dispatched by a PSAP from out of the area. In any event, the receiving PSAPs would process the call and then relay the information to the jurisdictional PSAP so that the responsible emergency responders could be dispatched. This creates a potentially dangerous situation in that you are putting a middleman in the transfer of emergency information.

**The public is paying but not receiving what they are paying for.**

The public has been charged a surcharge on their wireless phones for many years now. Great sums of money have been collected under the guise of Phase I and Phase II implementation. Years later only 51% of the state has Phase I implemented, the project has “hit the wall”, people are still paying for the services that they will *never* receive at the rate things are going.

The surcharge is being just handed to the Wireless Service Providers, little if any has been providing equipment or any development to the local PSAPs. When the project does get implement it will be eastern, urban Nebraska and the I-80 corridor that will be the first to benefit while greater, rural Nebraska will be the last see any service. Many of these rural areas will probably never see the improvement but will be charged and continue to pay anyway.

The public should either see the results of what they are paying for or not be charged. If no service is provided, the Wireless Service Providers should not receive any funding either.

**The project needs management.**

The project needs direction, scheduling, benchmarks and planning. This is not something new that has never been done before. Other states have been through this and have found solutions to the problems. Nebraska can model the systems as other states have, using their solutions or not, but getting something accomplished.

Project Management is not an easy task but it does take someone at the helm that can things accomplished. The managers should define the objectives. They need to develop a specific and detailed plan to meet those objectives. Management should determine a critical path to achieve those objectives. Management should establish a timeline to meet those objectives and determine benchmarks along the way to assure that those objectives are being met.

If Phase I and Phase II implementation is well managed, it should be able to project income, project cost, project a completion date and be able to tell where things are at along the way. Managers should be able to determine when specific areas should expect to receive specific services at a specific time. If then those goals are not met, it should be determined why and someone demonstrate an accounting. Projects of this magnitude are not always predictable and delays will happen, but someone should be able to explain delays.

The public will be much more supportive of increase of surcharge if they can expect a certain level of service at a certain time period. Stand back and look at the situation as it now stands; the surcharge has been collected for 4-5 years, only 51% of Phase I is completed, there is no projected completion date, more money has been spent on meetings by the advisory board to talk about it then the counties have received, all the monies collected are going to the wireless service providers (or at least are perceived to be), millions of dollars are in the surcharge account and then the PSC goes to the legislature to ask the public to be required to pay even more. Neighboring states have accomplished similar projects and Nebraska, it seems, cannot get the job done.

Phase I and Phase II are very important and worthwhile projects. I hope that the results of the findings do motivate things as the implementation will save lives. If I can be of any assistance or can provide any information, please let me know.

Sincerely

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